

JAN 20 2004

PTO/SB/21 (08-03)

**TRANSMITTAL  
FORM**

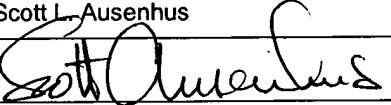
(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/054,295
		Filing Date	January 18, 2002
		First Named Inventor	Cech, Thomas
		Art Unit	1652
		Examiner Name	Malgorzata A. Walicka
Total Number of Pages in This Submission		Attorney Docket Number	015389-002990US

**ENCLOSURES (Check all that apply)**

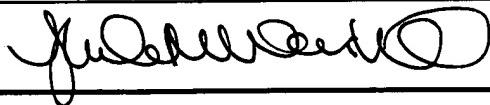
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Appointment of Associate Attorney under 37 CFR § 1.23(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  Return Postcard Copies of four (4) cited applications and claims	
		Remarks	
		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP Scott L. Ausenhus	
Signature		
Date	Reg. No. 42,271 January 16, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Nicole M. Wartell		
Signature		Date	January 16, 2004

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**RECEIVED**

JAN 23 2004

**TECH CENTER 1600/2900**

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 180)

<i>Complete if Known</i>	
Application Number	10/054,295
Filing Date	January 18, 2002
First Named Inventor	Cech, Thomas
Examiner Name	Malgorzata A. Walicka
Art Unit	1652
Attorney Docket No.	015389-002990US

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number

20-1430

Deposit Account Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims	Fee from below	Fee Paid
Total Claims			X	
Independent Claims			X	
Multiple Dependent			X	

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

<b>FEE CALCULATION (continued)</b>					
3. ADDITIONAL FEES					
Large Entity	Fee Code	Small Entity	Fee Code	Fee Description	Fee Paid
	1051	130	2051	65 Surcharge - late filing fee or oath	
	1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet.	
	1053	130	1053	130 Non-English specification	
	1812	2,520	1812	2,520 For filing a request for reexamination	
	1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
	1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
	1251	110	2251	55 Extension for reply within first month	
	1252	420	2252	210 Extension for reply within second month	
	1253	950	2253	475 Extension for reply within third month	
	1254	1,480	2254	740 Extension for reply within fourth month	
	1255	2,010	2255	1,005 Extension for reply within fifth month	
	1401	330	2401	165 Notice of Appeal	
	1402	330	2402	165 Filing a brief in support of an appeal	
	1403	290	2403	145 Request for oral hearing	
	1451	1,510	1451	1,510 Petition to institute a public use proceeding	
	1452	110	2452	55 Petition to revive – unavoidable	
	1453	1,330	2453	665 Petition to revive – unintentional	
	1501	1,330	2501	665 Utility issue fee (or reissue)	
	1502	480	2502	240 Design issue fee	
	1503	640	2503	320 Plant issue fee	
	1460	130	1460	130 Petitions to the Commissioner	
	1807	50	1807	50 Petitions related to provisional applications	
	1806	180	1806	180 Submission of Information Disclosure Stmt	180
	8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
	1809	770	2809	385 Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	770	2810	385 For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	770	2801	385 Request for Continued Examination (RCE)	
	1802	900	1802	900 Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$180)

**SUBMITTED BY**

Name (Print/Type)	Scott L. Ausenhus	Registration No. (Attorney/Agent)	42,271	Telephone	303-571-4000
Signature				Date	January 16, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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P.O. Box 1450  
Alexandria, VA 22313-1450

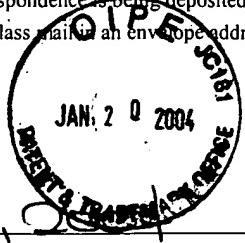
On Jan 10, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Nicole M. Wartell

Nicole M. Wartell

**PATENT**  
Attorney Docket No.: 015389-002990US  
Client Reference No.: 018/184C



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas R. Cech et al.

Application No.: 10/054,295

Filed: January 18, 2002

For: NOVEL TELOMERASE

Examiner: Malgorzata A. Walicka

Art Unit: 1652

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references listed on the attached forms can be found in Application No. 09/843,676, filed April 26, 2001 (Attorney Docket No. 015389-002943US), an application to which the present application claims priority.

Applicants also wish to make the Examiner aware of the following co-pending patent applications:

1. U.S. Patent App. No. 09/432,503, filed 11-02-1999, Applicant Cech et al., Attorney Docket No. 015389-0002611US;

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2. U.S. Patent App. No. 09/721,477, filed 11-22-2000, Applicant Cech et al., Attorney Docket No. 015389-002914US;
3. U.S. Patent App. No. 09/721,506, filed 11-22-2000, Applicant Cech et al., Attorney Docket No. 015389-002916US; and
4. U.S. Patent App. No. 09/974,584, filed 11-19-1997, Applicant Cech et al., Attorney Docket No. 015389-002950US.

To comply with 37 CFR §1.98(a)(2)(iii), the specifications, drawings and currently pending claims for U.S. Application No. 09/432,503 (Attorney Docket No. 015389-002611US) and U.S. Application No. 09/974,584 (Attorney Docket No. 015389-002950) are enclosed. The currently pending claims from U.S. Application Nos. 09/721,477 (Attorney Docket No. 015389-002614US) and 09/721,506 (Attorney Docket No. 015389-002616US) are also enclosed; copies of the specification and drawings for these latter two applications are not enclosed because these applications are the same as US Application No. 09/432,503.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

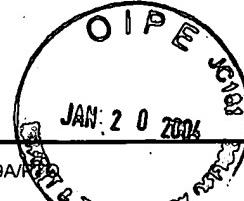
Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 303-571-4321  
SLA:nmb

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Substitute for form 1449A <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/054,295
		Filing Date	January 18, 2002
		First Named Inventor	Thomas R. Cech
		Art Unit	1652
Examiner Name	Malgorzata A. Walicka		
Sheet <b>1</b>	of <b>2</b>	Attorney Docket Number	015389-002990US

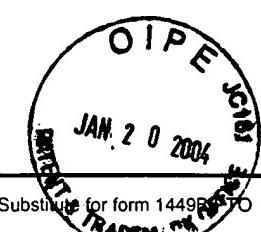
<b>U.S. PATENT DOCUMENTS+</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-6,440,735 B1	08-27-2002	Gaeta
	A2	US-6,444,650 B1	09-03-2003	Cech et al.
	A3	US-6,517,834 B1	02-11-2003	Weinrich et al.
	A4	US-6,608,188 B1	08-19-2003	Tsuchiya et al.
	A5	US-6,627,619 B2	09-30-2003	Cech et al.
	A6	US 2002-0164786 A1	11-07-2002	Cech et al.
	A7	US 2002-0187471 A1	12-12-2002	Cech et al.
	A8	US 2003-0009019 A1	01-09-2003	Cech et al.
	A9	US 2003-0032075 A1	02-13-2003	Cech et al.
	A10	US 2003-0059787 A1	03-27-2003	Cech et al.
	A11	US 2003-0096344 A1	05-22-2003	Cech et al.
	A12	US 2003-0100093 A1	05-29-2003	Cech et al.
	A13	U.S. Application No. 09/432,503		Cech et al.
	A14	U.S. Application No. 09/721,477		Cech et al.
	A15	U.S. Application No. 09/721,506		Cech et al.
	A16	U.S. Application No. 90/974,584		Cech et al.

<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
	B1	CA	2271718	A1	05-22-1998	<input type="checkbox"/>
	B2					<input type="checkbox"/>

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

**2**

of

**2*****Complete if Known***

<i>Application Number</i>	10/054,295
<i>Filing Date</i>	January 18, 2002
<i>First Named Inventor</i>	Thomas Cech
<i>Art Unit</i>	1652
<i>Examiner Name</i>	Malgorzata A. Walicka
<i>Attorney Docket Number</i>	015389-002990US

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	ADAMS, MARK et al. "Initial Assessment of Human Gene Diversity and Expression Patterns Based Upon 83 Million Nucleotides of cDNA Sequence" <i>The Genome Directory: Supplement to Nature</i> 28 September 1995, 1995, pp. 3-174, Vol. 377, Issue 6547S.	
	C2		

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.